

*SC NAACP v. Alexander,*  
D.S.C. Case No. 3:21-cv-03302-MGL-TJH-RMG

# EXHIBIT 2

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

THE SOUTH CAROLINA STATE  
CONFERENCE OF THE NAACP, *et al.*,

Plaintiffs,

v.

THOMAS C. ALEXANDER, *et al.*,

Defendants.

Case No. 3:21-cv-03302-JMC-TJH-RMG

**SENATE DEFENDANTS' INITIAL DISCLOSURES REGARDING PLAINTIFFS'  
CHALLENGES TO THE CONGRESSIONAL PLAN**

Thomas C. Alexander, in his official capacity as President of the Senate, and Luke A. Rankin, in his official capacity as Chairman of the Senate Judiciary Committee, (collectively, the “Senate Defendants”) respectfully provide these initial disclosures regarding Plaintiffs’ challenges to the congressional plan (counts 3 and 4 of the Second Amended Complaint) under Rule 26(a)(1) of the Federal Rules of Civil Procedure. The Senate Defendants make these disclosures based on information reasonably and presently available to them as of this date. Because discovery remains ongoing, the Senate Defendants reserve the right under Rule 26(e) to modify, amend, retract, or supplement these disclosures as additional information and evidence becomes available. The Senate Defendants further reserve the right to call any witness or present any document or tangible thing at trial that is identified through further investigation or discovery.

- I. Fed. R. Civ. P. 26(a)(1)(A)(i): The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use of would solely by for impeachment.**

The Senate Defendants disclose the list of persons who are likely to have discoverable information that the Senate Defendants may use to support their claims or defenses based on Senate

Defendants' knowledge to date:

1. Taiwan Scott: Taiwan Scott is a plaintiff in this action and likely has discoverable information regarding his claims and the Senate Defendants' defenses.
2. South Carolina State Conference of the NAACP: South Carolina State Conference of the NAACP is a plaintiff in this action and likely has discoverable information regarding its claims and the Senate Defendants' defenses.
3. Brenda Murphy: Ms. Murphy is president of the South Carolina State Conference of the NAACP and likely has discoverable information regarding the Plaintiffs' claims and the Senate Defendants' defenses.
4. All persons, individuals, or entities disclosed by any plaintiff, defendant, or intervenor in this action.
5. All persons, individuals, or entities identified by any plaintiff, defendant, intervenor, or third party in any Responses to any Interrogatories, Responses to Document Requests, or Responses to Requests for Admission in this action.
6. All persons, individuals, or entities identified by any plaintiff, defendant, or intervenor as a witness in this action.

The Senate Defendants reserve the right to supplement and/or amend these disclosures as discovery progresses and to seek information from such disclosed persons and entities to support its defenses.

**II. Fed. R. Civ. P. 26(a)(1)(A)(ii): A copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.**

The Senate Defendants identify the following documents, electronically-stored information, and tangible things in their possession, custody, or control that they may use to support their defenses:

1. 2021 Senate Redistricting Guidelines, South Carolina Senate Judiciary Committee, Redistricting Subcommittee, <https://redistricting.scsenate.gov/>
2. Data, South Carolina Senate Judiciary Committee, Redistricting Subcommittee, <https://redistricting.scsenate.gov/census.html>, including:

- a. 2020 Population Statistics, <https://redistricting.scsenate.gov/census.html>
  - b. 2020 General Election Data, <https://redistricting.scsenate.gov/census.html>
  - c. 2020 Census Data, <https://redistricting.scsenate.gov/census.html>
  - d. Incumbent Locations, <https://redistricting.scsenate.gov/census.html>
3. Plan Proposals, South Carolina Senate Judiciary Committee, Redistricting Subcommittee, <https://redistricting.scsenate.gov/planproposal.html>
4. Meeting Information, South Carolina Senate Judiciary Committee, Redistricting Subcommittee, <https://redistricting.scsenate.gov/meetinginfo.html>, including
  - a. Press Releases, <https://redistricting.scsenate.gov/meetinginfo.html>
  - b. Public Hearings, <https://redistricting.scsenate.gov/meetinginfo.html>
  - c. Subcommittee Meetings, <https://redistricting.scsenate.gov/meetinginfo.html>
  - d. Submitted Comments, <https://redistricting.scsenate.gov/meetinginfo.html>
5. Archives, South Carolina Senate Judiciary Committee, Redistricting Subcommittee, <https://redistricting.scsenate.gov/archives.html>, including
  - a. Senate Redistricting 2011, <https://redistricting.scsenate.gov/archives.html>
  - b. Senate Redistricting 2001, <https://redistricting.scsenate.gov/archives.html>
6. S. 865 as passed by the S.C. General Assembly and Signed by Governor McMaster, <https://redistricting.scsenate.gov/planproposal.html>, including:
  - a. Interactive Map, <https://scsenate.maps.arcgis.com/apps/webappviewer/index.html?id=d665cd0a95014301befca1b001bc9eac>
  - b. Static Map, [https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Map\(2\).pdf](https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Map(2).pdf)
  - c. Statistics, [https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Stats\(2\).pdf](https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Stats(2).pdf)

- d. Core Constituencies Report,  
<https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Core%20Constituencies.pdf>
  - e. Partisan Analysis Report,  
[https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Partisan%20Analysis\(2\).pdf](https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Partisan%20Analysis(2).pdf)
  - f. Political Subdivisions Splits Report,  
[https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Political%20Subdivison%20Splits%20Between%20Districts\(2\).pdf](https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Political%20Subdivison%20Splits%20Between%20Districts(2).pdf)
  - g. Population Summary Report,  
[https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Population%20Summary%20Pop\(2\).pdf](https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Population%20Summary%20Pop(2).pdf)
  - h. Voting Age Population Summary Report,  
[https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Population%20Summary%20VAP\(2\).pdf](https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Population%20Summary%20VAP(2).pdf)
  - i. Block Equivalency File,  
<https://redistricting.scsenate.gov/docs/proposals/hp2sa1/House%20Plan%202%20Senate%20Amendment%201%20Block%20Eq.xlsx>
  - j. Shapefiles, <https://redistricting.scsenate.gov/docs/proposals/hp2sa1/Shapefiles.zip>
7. Benchmark (Current) Congressional Districts with 2020 Data,  
<https://redistricting.scsenate.gov/planproposal.html>, including:
- a. Interactive Map,  
<https://scsenate.maps.arcgis.com/apps/webappviewer/index.html?id=4f780486469b4e28ae9f24640bc7edca>
  - b. Static Map,  
[https://redistricting.scsenate.gov/docs/proposals/benchmarkcong/Statewide\\_Congress\\_2011.pdf](https://redistricting.scsenate.gov/docs/proposals/benchmarkcong/Statewide_Congress_2011.pdf)
  - c. Statistics,  
<https://redistricting.scsenate.gov/docs/proposals/benchmarkcong/Benchmark%20Congressional%20Statistics.pdf>
  - d. Partisan Analysis Report,  
<https://redistricting.scsenate.gov/docs/proposals/benchmarkcong/Benchmark%20Congressional%20Partisan%20Analysis.pdf>

- e. Political Subdivisions Splits Report,  
<https://redistricting.scstate.gov/docs/proposals/benchmarkcong/Benchmark%20Congressional%20Political%20Subdivison%20Splits%20Between%20Districts.pdf>
  - f. Population Summary Report,  
<https://redistricting.scstate.gov/docs/proposals/benchmarkcong/Benchmark%20Congressional%20Population%20Summary.pdf>
  - g. Voting Age Population Summary Report,  
<https://redistricting.scstate.gov/docs/proposals/benchmarkcong/Benchmark%20Congressional%20Voting%20Age%20Population%20Summary.pdf>
  - h. Block Equivalency File,  
<https://redistricting.scstate.gov/docs/proposals/benchmarkcong/Benchmark%20Congressional%20with%202020%20Data%20Block%20Equivalency%20File.xlsx>
8. NAACP - Congressional Submission 1,  
<https://redistricting.scstate.gov/planproposal.html>, including:
- a. Interactive Map,  
<https://scstate.maps.arcgis.com/apps/webappviewer/index.html?id=73344c34ed0547efac84b15ce0550594>
  - b. Statistics,  
[https://redistricting.scstate.gov/docs/proposals/naacp/Congressional\\_1/NAACP\\_Congressional\\_1\\_Statistics.pdf](https://redistricting.scstate.gov/docs/proposals/naacp/Congressional_1/NAACP_Congressional_1_Statistics.pdf)
  - c. Statewide Map,  
[https://redistricting.scstate.gov/docs/proposals/naacp/Congressional\\_1/NAACP\\_Congressional\\_1\\_36\\_48.pdf](https://redistricting.scstate.gov/docs/proposals/naacp/Congressional_1/NAACP_Congressional_1_36_48.pdf)
  - d. Core Constituencies Report,  
[https://redistricting.scstate.gov/docs/proposals/naacp/Congressional\\_1/Core%20Constituencies.pdf](https://redistricting.scstate.gov/docs/proposals/naacp/Congressional_1/Core%20Constituencies.pdf)
  - e. Political Subdivisions Splits Report,  
[https://redistricting.scstate.gov/docs/proposals/naacp/Congressional\\_1/Political%20Subdivison%20Splits%20Between%20Districts.pdf](https://redistricting.scstate.gov/docs/proposals/naacp/Congressional_1/Political%20Subdivison%20Splits%20Between%20Districts.pdf)
  - f. Population Summary Report,  
[https://redistricting.scstate.gov/docs/proposals/naacp/Congressional\\_1/Population%20Summary\\_FullPopulation.pdf](https://redistricting.scstate.gov/docs/proposals/naacp/Congressional_1/Population%20Summary_FullPopulation.pdf)

- g. Voting Age Population Summary Report,  
[https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional\\_1/Population%20Summary\\_VAP.pdf](https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional_1/Population%20Summary_VAP.pdf)
  - h. Block Equivalency File,  
[https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional\\_1/NAACP%20Congressional%20Submission%201%20Block%20Eq.xlsx](https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional_1/NAACP%20Congressional%20Submission%201%20Block%20Eq.xlsx)
9. NAACP - Congressional Submission 2,
- <https://redistricting.scsenate.gov/planproposal.html>, including:
- a. Interactive Map,  
<https://scsenate.maps.arcgis.com/apps/webappviewer/index.html?id=1a2d9bfd9446499b803a574fad673d2f>
  - b. Statistics,  
[https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional\\_2/Plan%20Stats.pdf](https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional_2/Plan%20Stats.pdf)
  - c. Statewide Map,  
[https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional\\_2/NAACP\\_Congressional\\_2\\_36\\_48.pdf](https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional_2/NAACP_Congressional_2_36_48.pdf)
  - d. Core Constituencies Report,  
[https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional\\_2/Core%20Constituencies.pdf](https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional_2/Core%20Constituencies.pdf)
  - e. Political Subdivisions Splits Report,  
[https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional\\_2/Political%20Subdivison%20Splits%20Between%20Districts.pdf](https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional_2/Political%20Subdivison%20Splits%20Between%20Districts.pdf)
  - f. Population Summary Report,  
[https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional\\_2/Population%20Summary\\_FullPopulation.pdf](https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional_2/Population%20Summary_FullPopulation.pdf)
  - g. Voting Age Population Summary Report,  
[https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional\\_2/Population%20Summary\\_VAP.pdf](https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional_2/Population%20Summary_VAP.pdf)
  - h. Block Equivalency File,  
[https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional\\_2/NAACP%20Congressional%20Submission%202%20Block%20Eq.xlsx](https://redistricting.scsenate.gov/docs/proposals/naacp/Congressional_2/NAACP%20Congressional%20Submission%202%20Block%20Eq.xlsx)
10. 2021 Guidelines and Criteria for Congressional and Legislative Redistricting, South Carolina House of Representatives Judiciary Committee, Redistricting Ad Hoc

- Committee,
- <https://redistricting.schouse.gov/docs/2021%20Redistricting%20Guidelines.pdf>
11. Committee Agendas, South Carolina House of Representatives Judiciary Committee, Redistricting Ad Hoc Committee, <https://redistricting.schouse.gov/agendas.html>
12. Data, South Carolina House of Representatives Judiciary Committee, Redistricting Ad Hoc Committee, <https://redistricting.schouse.gov/>, including:
- a. Current District Boundaries and Congressional Map Files, <https://redistricting.schouse.gov/district.html>
  - b. Current Congressional District Demographics Final Data, <https://redistricting.schouse.gov/docs/CongressionalDistrictsPredraw.xlsx>
  - c. 2020 Census Legacy Data Demographics, <https://redistricting.schouse.gov/demographicprofile.html>
  - d. Raw 2020 Census Legacy Data, [https://www2.census.gov/programs-surveys/decennial/2020/data/01-Redistricting\\_File--PL\\_94-171/South\\_Carolina/](https://www2.census.gov/programs-surveys/decennial/2020/data/01-Redistricting_File--PL_94-171/South_Carolina/)
13. Public Submissions, South Carolina House of Representatives Judiciary Committee, Redistricting Ad Hoc Committee, <https://redistricting.schouse.gov/>, including:
- a. 2021 Public Submissions, <https://redistricting.schouse.gov/publicsubmissions.html>
14. Public Hearings, South Carolina House of Representatives Judiciary Committee, Redistricting Ad Hoc Committee, <https://redistricting.schouse.gov/publichearing.html>
15. All documents and information accessible on the websites of the Senate Redistricting Subcommittee and House Redistricting Ad Hoc Committee.
16. All documents disclosed or produced by any plaintiff, defendant, intervenor, or third party in this action.

The Senate Defendants reserve the right to identify additional documents as their investigation into this matter and discovery proceed. The Senate Defendants also reserve the right



to rely on any documents, electronically stored information, and tangible things identified, disclosed, or produced by any plaintiff, defendant, intervenor, or third party during the course of this action.

**III. Fed. R. Civ. P. 26(a)(1)(A)(iii): A computation of each category of damages claimed by the disclosing party.**

The Senate Defendants are not seeking any damages in this action.

**IV. Fed. R. Civ. P. 26(a)(1)(A)(iv): Any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action.**

The Senate Defendants have no insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in this action.

March 29, 2022

Respectfully submitted,

/s/Robert E. Tyson Jr.

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